

## **REMARKS**

Claims 1 and 4-6 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **SPECIFICATION**

Applicant has amended the specification by adding a paragraph in the "SUMMARY OF THE INVENTION" section to summarize and clarify the concept of the term "grade". The term "grade" in the specification of the present invention is a level in a scale of progression from a lower grade to an upper grade in accordance with a usage level and is decided by a combination of parts on which usage restrictions had been removed by the restriction removing data (encryption key).

## **REJECTION UNDER 35 U.S.C. § 103**

Claims 1 and 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sako, et al. (U.S. Pat. No. 2002/0128936 A1) in view of Shah-Nazaroff (U.S. Pat. No. 6,157,377). This rejection is respectfully traversed.

According to the present invention, contents consisted of a plurality of parts on which usage restriction is imposed is downloaded collectively to a client apparatus at first, and thereafter an encryption key (restriction removing data) is downloaded to the client apparatus in accordance with a usage grade. The usage restriction imposed on the part corresponding to the encryption key will be removed, and the part of the contents can be

used. In order to obtain the contents in a different level of the grades, it is necessary to buy only the encryption key (Fig. 4).

On the other hand, in the cited reference Sako and the cited reference Shah-Nazaroff, a client apparatus transmits one or plurality of information for designating (selecting) a quality (grade) of contents to a server, and only the contents for the selected quality will be downloaded to the client apparatus. The downloaded contents in the cited references are not corresponding to a plurality of levels of the grades but fixed to only the selected grade. Therefore, in order to get the contents corresponding to different grade according to the cited references, the grade has to be newly designated, and the contents corresponding to the newly selected grade have to be downloaded from the server. For example, the cited reference Sako disclosed in Fig. 10 that the client transmits information designating the grade of contents to the server, and the server provides a part of the contents corresponding only to the designated grade of contents. Therefore, it is different from the present invention in which all parts of the contents are transmitted from the server.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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